

[37 FR 10891, May 31, 1972, as amended at 38 FR 34325, Dec. 13, 1973; 39 FR 16347, May 8, 1974; 46 FR 25460, May 7, 1981]

§ 52.2072 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Rhode Island's plan, as identified in § 52.2070 of this subpart, for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plan satisfies all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by January 1, 1981 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January as additional RACT requirements for sources covered by CTGs issued by the previous January.

[46 FR 25460, May 7, 1981]

§ 52.2073 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the plan does not provide for public availability of emission data.

(b) Regulation for public availability of emission data.

(1) Information obtained from owner or operators of stationary sources pursuant to § 52.2075 will be correlated with applicable emission limitations and other control regulations and will be made available for public inspection at the Rhode Island Department of Health, 204 Health Building, Providence, RI.

[37 FR 10891, May 31, 1972, as amended at 41 FR 2232, Jan. 15, 1976; 51 FR 40676, Nov. 7, 1986]

§ 52.2074 Legal authority.

(a) The requirements of § 51.230(e) of this chapter are not met. Authority to require recordkeeping is deficient to the extent that section 23-25-13 requires only those sources with an air pollution control program to keep records.

(b) The requirements of § 51.230(f) of this chapter are not met. Authority to release emission data to the public is deficient in that section 23-25-6 requires that only records concerning investigations be available to the public. Further, section 23-25-5(g) and section 23-25-13 may limit the State's authority to release emission data. Authority to require sources to install and maintain monitoring equipment is not provided and is therefore inadequate. Authority to require sources to periodically report is not provided and is therefore inadequate.

[37 FR 10891, May 31, 1972, as amended at 39 FR 7283, Feb. 25, 1974; 39 FR 12350, Apr. 5, 1974; 51 FR 40676, Nov. 7, 1986]

§ 52.2075 Source surveillance.

(a) The requirements of § 51.211 of this chapter are not met since the plan lacks adequate legal authority to require owners or operators of stationary sources to maintain records of, and periodically report information as may be necessary to enable the state to determine whether such sources are in compliance with applicable portions of the control strategy.

(b) Regulation for source recordkeeping and reporting.

(1) The owner or operator of all stationary sources which have the potential to emit a total of 100 tons or more per year of any one air contaminant for which there is a national standard shall maintain records of, and submit to the Director, data on operational processes, fuel usage, emission, stack parameters, boiler capacities, types of equipment generating air contaminants and air contaminant control devices that may be necessary to determine if the source is in compliance with applicable rules and regulations of the Department. Upon notification of the Administrator, or the Director of the Rhode Island Department of Health, sources with the potential to emit less than 100 tons per year of any air contaminant shall also be subject to the requirements of this paragraph. For the purposes of this paragraph, potential emissions shall be calculated at